



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,413	12/18/2001	James J. Kalafut	01-447	5241

719 7590 02/19/2003

CATERPILLAR INC.
100 N.E. ADAMS STREET
PATENT DEPT.
PEORIA, IL 616296490

EXAMINER

MULL, FRED H

ART UNIT PAPER NUMBER

3662

DATE MAILED: 02/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/024,413

Applicant(s)

KALAFUT ET AL.

Examiner

Fred H. Mull

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Klein.

Klein discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage (p. 304, section “Constellation”); displaying the area having reduced coverage on a terrain map (p. 306, Fig. 1); and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 307, section “Performance During Periods of Poor Observability”).

2. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Stone.

Stone discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage (p. 562, column 1, last paragraph, lines 1-3); displaying the area having reduced coverage on a terrain map (Fig. 1); and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 562, column 1, last paragraph, line 3 to end of paragraph).

Art Unit: 3662

3. Claims 1-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Wang.

Wang discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage; displaying the area having reduced coverage on a terrain map (Fig. 1); and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 3-4).

4. Claims 1-22 are rejected under 35 U.S.C. 102(a) as being anticipated by Dai.

Dai discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage; displaying the area having reduced coverage on a terrain map (Fig. 6); and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 4).

5. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Parkinson.

Parkinson discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage (); displaying the area having reduced coverage on a terrain map (Figs. 9 and 10); and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 262-263; 270-274; Fig. 7).

Art Unit: 3662

6. Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Cobb.

Cobb discloses predicting an area of coverage of the site by at least on GPS satellite; determining a condition of reduced coverage as a function of the predicted area of coverage; displaying the area having reduced coverage on a terrain map; and placing a pseudolite at a location at the site to provide coverage in the area having reduced coverage (p. 35-37).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred H. Mull whose telephone number is 703-305-1250. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza can be reached on 703-360-4171. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

Fred H. Mull
Examiner
Art Unit 3662

FHM
February 6, 2003


THOMAS H. TARCZA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600